

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

John Anthony Pierce 16-B-1596
Plaintiff,

-- V --

Timothy McCarthy, James Donahue, Thomas Napoli
Andrew Lowe, Thomas Harte, Zebra Cicconi-Crozic
Brian Norris, Michael Pettigrass, Patrick Kennedy
Cheryl Parmiter, Ashly Cahill, Erin White,
William Southwood, Kara Walawender, Melissa Woodman
Carrie Citrin, Anthony Annucci, Jeff McKoy,
Danielle Dill, Julie Dennis, Andrew Cuomo
John Doe(s), Jane Doe(s) Ronald Dewberry

Defendant(s).

COMPLAINT
(Pro Se Prisoner)

Case No. _____
(Assigned by Clerk's
Office upon filing)

Jury Demand

☒ Yes
☐ No

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore **not** contain: an individual's social security number, taxpayer identification number, or birth date; the name of a person known to be a minor; or a financial account number. A filing may include *only*: the last four digits of a social security number or taxpayer-identification number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Fed. R. Civ. P. 5.2.

I. LEGAL BASIS FOR COMPLAINT

This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution and laws of the United States. Indicate below the federal basis for your claims.

- ☒ 42 U.S.C. § 1983 (state, county, or municipal defendants)
☐ *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971)
(federal defendants)
☐ Other (please specify) _____

II. PLAINTIFF(S) INFORMATION

Name: John Anthony Pierce
 Prisoner ID #: 16-B-1596
 Place of detention: Auburn Correctional Facility
 Address: 135 State St. Auburn N.Y. 13024

Indicate your confinement status when the alleged wrongdoing occurred:

- ☐ Pretrial detainee
☐ Civilly committed detainee
☒ Convicted and sentenced state prisoner
☐ Convicted and sentenced federal prisoner
☐ Immigration detainee

Provide any other names by which you are or have been known and any other identification numbers associated with prior periods of incarceration:

If there are additional plaintiffs, each person must provide all of the information requested in this section and must sign the complaint; additional sheets of paper may be used and attached to this complaint.

III. DEFENDANT(S) INFORMATION

Defendant No. 1: McCarthy , Timothy Suing Individual and
Name (Last, First) Official Capacity

Superintendent

Job Title

Auburn Correctional Facility 135 state st

Work Address

Auburn New York 13024

City State Zip Code

Defendant No. 2: Donahue , James Suing Individual and official
Name (Last, First) Capacity

First Deputy Superintendent

Job Title

Auburn Correctional Facility 135 State st.

Work Address

Auburn New York 13024

CityStateZip Code

Defendant No. 3:

Napoli , Thomas Suing in Official and Individual Capacity

Name (Last, First)

Deputy Superintendent Administration

Job Title

Auburn Correctional Facility 135 State st.

Work Address

Auburn New York 13024

CityStateZip Code

Defendant No. 4:

Lowe , Andrew Suing in Official and Individual Capacity

Name (Last, First)

Deputy Superintendent Programs

Job Title

Auburn Correctional Facility

Work Address

Auburn New York 13024

CityStateZip Code

If there are additional defendants, the information requested in this section must be provided for each person; additional sheets of paper may be used and attached to this complaint.

IV. STATEMENT OF FACTS

State briefly and concisely the facts supporting your claims. Describe the events in the order they happened. Your statement of facts should include the following:

- The date(s) on which the events occurred
- Where these events took place (identify the facility and, if relevant, the specific location in the facility)

Defendant List

Suing in Official and Individual Capacity
Harte , Thomas
Acting Deputy Superintendent Security
Auburn Correctional Facility 135 State st.
Auburn New York 13024

Suing in Official and Individual Capacity
Zebra , Cicconi-Crozie
Asst.. Deputy Superintendent Medical
Auburn Correctional Facility 135 State st.
Auburn New York 13024

Suing in Official and Individual Capacity
Brian , Norris
Security Captain
Auburn Correctional Facility 135 State st.
Auburn New York 13024

Suing in Official and Individual Capacity
Michael , Pettigrass
Senior Offender Rehabilitation Counselor
Auburn Correctional Facility
135 State St. Auburn New York 13024

Suing in Official and Individual Capacity
Patrick , Kennedy
Senior Offender Rehabilitation Counselor
Auburn Correctional Facility
135 State st. Auburn New York 13024

Suing in Official and Individual Capacity
Cheryl , Parmiter
Inmate Grievance Program Supervisor
Auburn Correctional Facility
135 State St. Auburn New York 13024

Suing in Official and Individual Capacity
Ashly , Cahill
Deputy Of Mental Health
Auburn Correctional Facility
135 State St. Auburn New York 13024

Suing in Official and Individual Capacity
Ms. White
Deputy of Mental Health
Auburn Correctional Facility
135 State st. Auburn New York 13024

Ronald Dewberry Suing in Official and
Chaplain Individual Capacity
Auburn Correctional Facility
135 State St. Auburn New York 13024

Defendant List

Suing in Official and Individual Capacity
Anthony , Annucci
Acting Commissioner of Corrections
The Harriman State Campus 1220 Washington Ave.
Albany New York 12226

Suing in Official and Individual Capacity
Jeff , McKoy
Deputy Commissioner Program Services
The Harriman State Campus 1220 Washington Ave.
Albany New York 12226

Suing in Official and Individual Capacity
Jane , Doe
Commissioner
The Harriman State Campus Washington Ave.
Albany New York 12226

John , Doe Suing in Official and
Commissioner Individual Capacity
The Harriman State Campus 1220 Washington Ave.
Albany New York 12226

Suing in Official and Individual Capacity
Danielle , Dill
Executive Director
Central New York Psychiatric Center
44 Holland Ave. Albany New York 12229

Julie , Dennis Suing in Official and
Office of Diversity Management Individual Capacity
The Harriman State Campus 1220 Washington Ave.
Albany New York 12226

Suing In Official and Individual Capacity
John , Doe
Office Of Diversity Management
The Harriman State Campus 1220 Washington Ave.
Albany New York 12226

Suing in Official and Individual Capacity
Jane , Doe
Office of Diversity Management
The Harriman State Campus 1220 Washington Ave.
Albany New York 12226

Suing in Official and Individual Capacity
Andrew , Cuomo
Governor
Executive Chamber State Capitol
Albany New York 12224

633 Third Ave. New York City
New York 10017

Defendant List

Suing in Official and Individual Capacity
Ms. A. Smithers
Offender Rehabilitation Counselor
Auburn Correctional Facility
135 State St. Auburn New York 13024

Suing in Official and Individual Capacity
William , Southwood
Deputy Superintendent Industry
Auburn Correctional Facility
135 State St. Auburn New York 13024

Suing in Official and Individual Capacity
Jane , Doe
Administrator
Auburn Correctional Facility
135 State St. Auburn New York 13024

Suing in Official and Individual Capacity
John , Doe
Administrator
Auburn Correctional Facility
135 State St. Auburn New York 13024

Suing in Official and Individual Capacity
Kara , Walawender
Unit Chief Mental Health
Auburn Correctional Facility
135 State St. Auburn New York 13024

Suing in Official and Individual Capacity
Melissa , Woodmen
Social Worker
Office of Mental Health
Auburn Correctional Facility
135 State St. Auburn New York 13024

Suing in Official and Individual Capacity
Carrie , Citrin
Nurse Practitioner of Psychiatry
Office of Mental Health
Auburn Correctional Facility
135 State St. Auburn New York 13024

Jane , Doe(s) Suing in Official
Office of Mental Health and Individual
Auburn Correctional Facility Capacity
135 State St. Auburn New York 13024

John , Doe Suing in Official
Office Of Mental Health and Individual
Auburn Correctional Facility Capacity
135 State St. Auburn New York 13024

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PLAINTIFF)
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TIMOTHY MCCARTHY, et al)
DEFENDANTS.)

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(TJM/DJS)

Paragraph (1)

This is a 42 U.S.C. ss 1983 civil action being filed in the United States District Court Northern District of New York. This is a civil action seeking relief and/or damages to defend protect rights guaranteed by the Constitution and law of the United States.

Paragraph (2)

I, John Anthony Pierce, appearing Pro Se, am making this statement of fact and complaint against Defendant(s), Timothy McCarthy et al, seeking relief for Constitutional Rights violations and other Federal Law violations carried out at Auburn Correctional Facility in Cayuga County New York.

Paragraph (3) Exhibit A-1

I, John Anthony Pierce residing at Auburn Correctional Facility on January 4th 2021 wrote acting Dep. of Programs Patrick Kennedy seeking to meet with him about concerns I had about the Protestant services here at the Facility. The Faith group of which I am a devote believer and practitioner. When I did not receive a response I wrote again. On the 18th of January I received the first letter back with both Mr. Kennedy's and the chaplain (Mr. Ronald Dewberry's writing on it. Mr. Dewberry wrote me asking me to explain myself to him, before I could write a response to Mr. Dewberry he called me to his office on January 20th 2021. As I spoke to Mr. Dewberry about my concerns for the lost and broken men at this facility and stated I thought more needed to be done, even offering to write a news letter for him, he became hostile. I dismissed myself and set about to write the Administrative team (Timothy McCarthy, James Donahue, Thomas Napoli, Zebra Cicconi-Crozie, Brian Norris, Michael Pettigrass, Patrick Kennedy, Ashly Cahill, Thomas Harte) For the record Andrew Lowe and Ms. Erin White had not yet taken their jobs here at the facility. I also sent copies of Exhibit A-1 to the Commissioner of Corrections Mr Anthony Annucci, and to Mr. Andrew Cuomo, seeking intervention. I also sent these things to 28 ministries around the country for support and prayer. These things were also sent to Mr. Dewberry. All of which went out February 9th. On February 26th I was called to the office of Mental Health to be interviewed by Ms. Mellisa Woodman. In that interview I was told Mr. McCarthy was displeased with my writing to Albany and that he desired Ms. Woodman to persuade me to stop. When I was told the Superintendent of the facility wanted me to stop writing to Albany it was a clear violation of my (First Amendment Right to Free Speech and my Right to Petition the Government) given he was told to persuade me to stop.

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Paragraph (4) Exhibit B-1

On March 5th I filed a grievance thinking this was the process I needed to follow to get Gods word taught accurately in the prison system. I was called to a hearing on March 12th. I would learn from Sgt. L. Cordway I could not address this issue through the grievance process and that Mr. Dewberry had given him a statement that he had explained this process to me several times, and I obtained a copy of a statement to that effect signed by Mr. Cordway. I immediately set out to write to the Administrative Team (Timothy McCarthy, James Donahue, Thomas Napoli, Zebra Cocconi-Crozie, Brian Norris, Michael Pettigrass, Thomas Harte, Patrick Kennedy, Ashly Cahill) with my concerns about Mr. Dewberry being a security risk given he freely lied to a security official. I informed these individuals that if they did not deal with the issue at the facility level I would report them to Albany. This letter was sent to them on March 15th 2021. On March 19th I was again called to the Office of Mental Health by Ms. Woodman and was told they had received referrals from Administration and were opening a file on me. These referrals said they had received letters they felt were "Deeply Religious & Threatening" (See Exhibit Q-1). I explained I wanted copies of these referrals and the explanations that are supposed to follow such referrals by the end of the day. When Administration filed these referrals saying they were deeply religious and threatening they did so in response for my promise to report them if they did not deal with Mr. Dewberry being a security risk. A clear violation of 42 USCA ss 1997 (d) and they did so with the malicious intent of discrediting me as a mentally ill person to their superiors. The effect of which violated my First Amendment right to Free Speech, Right to Petition the Government, Also my Freedom of Religion, and my Fourteenth Amendment right to Equal Protection Under the law when they indicated my deeply held convictions as a reason for their referrals. This was a clear act of preemptive retaliation for my promise to report them.

Paragraph (5) Exhibit C-1

When I returned to my cell that afternoon I found a note from Ms. Woodman completely ignoring my request , with the ominous statement "your file can be closed when it is appropriate" On March 24th I wrote a formal request to the office of Mental Health for copies of these referrals and the explanations that go with such referrals. I also voiced my displeasure with their attempts to dissuade me from my calling to get Gods word taught accurately in the prison system. This request went unanswered by the Office of Mental Health violating 45 C.F.R. ss 5b.5 and 5b.2 , The Privacy Act of 1974 governing records disclosure. This request was sent to OMH unit Chief(Kara Walawender).

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Paragraph (6)

On March 29th 2021 I was again called to the Office of Mental Health to be interviewed by Ms. Carrie Citrin. I told Ms. Citrin that they were violating my rights and how, I explained I had no mental illness and explained how I had manipulated the system, pointing her to the inconsistencies in my record that prove my assertion. I also disclosed that I had told Dr. Charter my issues were spiritual before. Dr. Charter is the doctor who closed my file. Ms. Citrin seemed to grasp I was being honest and I again requested the records. In Ms. Citrin's notes from that interview under (plan) she notes there is no evidence of Major mood or psychosis disorder. "Treatment team concerned with extent of Religiosity." In effect making my deeply held convictions of faith their reason for keeping this file open Violating my Fourteenth Amendment right to Equal Protection Under the Law. And in their refusal to disclose records used to open this file hindering my ability to pursue action against the parties involved they themselves became party to the violation of my First Amendment Rights of Free Speech, and Right to Petition the Government, not to mention again violating 45 CFR ss 5b.5 and 5b.2, the Privacy Act of 1974. I would note that it was the entire treatment team who made this decision that my deeply held convictions of faith would be the only point of concern for holding this file open. Therefore Ms. Woodman, Ms. Citrin, Ms. Walawender and Jane Doe(s) and John Doe(s) consented to these violations and we party to to them making them culpable under the law. (For interview notes see Exhibit Q-1)

Paragraph (7) Exhibit D-1

On April 1st 2021 I received a letter from Acting Commissioner of Programs Mr. Jeff McKoy which was dated March 23rd 2021. I would note that Mr. McKoy States he was asked to respond to my January 20th letter by then Governor Andrew Cuomo and and Acting Commissioner of Correction Anthony Annucci. Nowhere does he state that the letter was forwarded to him but rather that he was asked to respond to it. In his letter he states that changes to the way Christianity is taught in the prison system which I requested were denied. Mr. McKoy understood I am a Protestant worshiper seeking to have Gods word taught as it is outlined in the Bible. He goes on to state he spoke to the Chaplaincy and my concerns about ~~services~~ being canceled, which was never a concern of mine being the Chaplain here teaches doctrines contrary to the Bible, which I made clear in my letters to sent to Mr. Cuomo, and Mr. Annucci therefore it is reasonable to assume Mr. McKoy did not actually have copies of these correspondence. When Mr. McKoy closes his letter he makes the statement "you are encouraged to maintain a favorable disciplinary record and nurture a positive attitude regarding the programs available to you." which I took as a

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threat given the statement directly prior to this is that I should not contact them unless I have exhausted things at the facility level. Which I attempted to do before writing to them. When Mr. McKoy made the statement which could reasonably be interpreted to mean if I did not accede to his view I would face some adverse consequences he violated my First Amendment right to Free Speech, and Right to Petition the Government. In his denial to allow Gods word to be taught accurately he violated my First Amendment Freedom of Religion and Free Exercise rights, seeing that even Chaplain Dewberry asserts that the doctrine I hold to is consistent with "mainstream Protestantism" which is traditionally taught in DOCCS. (See Exhibit G-1).

Paragraph (8) Exhibit E-1

At the same time Acting Dep. of Security Thomas Harte denied allowing me to send money home to my family, Dep. Harte being part of the Administrative team and part of the meetings held by them in the day to day operation of the facility it can reasonably be assumed Mr. Harte denied my funds from being sent home in an act of retaliation for my writing to Albany. Which violates my First Amendment right to Free Speech, and to Petition the Government. Being this is related to my deeply held convictions of faith it can also be considered an act of discrimination and a violation of my Fourteenth Amendment rights to Equal Protection Under the law. In his retaliatory actions Mr. Harte also violated 42 USCA 1997 (d).

Paragraph (9) Exhibit F-1

I would respond to all parties involved (Mr. McCarthy, Mr. Donahue, Mr. Napoli, Mr. Harte, Mr. Cordway, Mr. Kennedy, Ms. Smither, Mr. Dewberry, Ms. Woodman, Ms. Citrin, Ms. Walawender, Mr. McKoy, Mr. Annucci, Mr. Cuomo) in letters on April 1st and April 3rd 2021 again stating my displeasure with their behavior as government officials and again sought to redress the issues and sought the intervention of Mr. Cuomo again sending him the entire packet of information I had accumulated up to this point. Again I was ignored and these people were allowed to continue to violate my First Amendment right to Freedom of Religion, Freely Exercise my religion, they were allowed to continue to withhold my records from me Violating 45 CFR ss 5b.2 and 5b.5, the Privacy Act of 1974. They were allowed to continue to discriminate against me for my deeply held convictions of faith violating my Fourteenth Amendment Right to Equal Protection Under the Law. When each person who had the ability to intervene and stop the violations did nothing they made themselves a party to the violations themselves. Each person was given due notice of the misconduct and did nothing to stop it.

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Paragraph (10) Exhibit G-1

I then received a letter from Mr. Dewberry dated April 8th 2021 which stated "You are an inmate and you are not in a position to question anything you "think" I said or did between me and a Senior Officer or Staff Member in this facility" Mr. Dewberry hostel statement can easily be interpreted as an attempt to intimidate me into ceasing from my pursuit to get Gods word taught accurately and to have him dismissed from the department of corrections for lying to officials. Clearly violating my First Amendment right to Free Speech, and right to Petition to Government, also when he goes on to say that he sees no difference in the doctrinal teaching I adhere to and that of mainstream Protestantism. Which to, his credit is accurate. I am a devout Christian who adheres to Gods word. Sadly while Mr. Dewberry knows the doctrines and teachings I hold to are 100% accurate he does not teach it though it is traditionally taught by DOCCS according to him. Which is a violation of my First Amendment Freedom of Religion and Free Exercise of my faith. And he even quotes Mr. McKoy's March 23rd letter saying "you are encouraged to maintain a favorable disciplinary record and nurture a positive attitude regarding programs available to you." clearly Mr. Dewberry took Mr. McKoy's closing words the same way I did and tried to leverage them against me in an attempt to intimidate me which only further shows his intent with this letter was to intimidate me into silence.

Paragraph (11) Exhibit H-1

On April 14th 2021 I reached out to Mr. Cuomo yet again seeking his intervention in these matters so I would not be forced to seek legal action because I felt that Government Officials were under enough fire from the public. I miss quoted a 42 USC 1983 statute seeking a remedial settlement. Not looking to get paid but as a means to rectify these issues without unneeded legal action which would bring more controversy toward officials. Again Mr. Cuomo ignored me and allowed these violations to continue, in effect making himself a party to the violation of my First Amendment right to Free Speech, Freedom of Religion, Free exercise, My Fourteenth Amendment right to Equal Protection Under the Law, 42 USCA 1997 (d) which prohibits acts of retaliation for reporting officials for misconduct, and 45 CFR 5b.5 & 5b.2, the Privacy act of 1974.

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Paragraph (12) Exhibit I-1

On April 21st 2021 I was again called to OMH by Ms. Woodman. I brought a copy of my request made on March 24th with a hand written receipt for her to sign acknowledging she received the request, which she signed. She confirms her receipt in her notes of that scheduled interview (See Exhibit Q-1). These notes also confirm that the Unit Chief Ms. Kara Walawender had already received this request from me. This confirms that Ms. Walawender violated 45 CFR 5b.2 and 5b.2, the Privacy Act of 1974. It also shows that the treatment team at the Office of Mental Health here in Auburn (Ms. Walawender, Ms. Woodman, Ms. Citrin, Jane Doe(s) and John Doe(s)) were intentionally withholding the information to hinder legal action for the discrimination being perpetrated against me, making them a party to every violation mentioned in this complaint. First Amendment Free Speech, Right to Petition the Government, Freedom of Religion, Free Exercise, and Fourteenth Amendment Right to Equal Protection Under the Law, and their continued harassment in retaliation against me for reporting them to Albany was a violation of 42 USCA 1997 (d).

Paragraph (13) Exhibit J-1

I returned to my cell to find a note from Ms. Woodman trying to get me to consent to their continued harassment saying she was just trying to make the best of it. I responded to Ms. Woodman's note in a letter dated April 22nd 2021 in which I explained my remorse for having manipulated the system and that I had thought that after revealing multiple inconsistencies in my file(which are easily verifiable) that these interviews would have ceased. And being she is a confessing Christian I told her she had a choice when it comes to obeying man or God. In her continued participation in these acts of harassment she made herself a party to every violation mentioned herein. I also enclosed copies of 18 CFR 3b.221 and 45 CFR 5b.5. Though I would say 18 CFR 3b.221 does not apply but 45 CFR 5b.5 does, the Privacy act of 1974.

Paragraph (14) Exhibit K-1

I received another letter from Jeff McKoy dated April 21st 2021 where he again denies allowing Protestant services to be taught accurately. And again he makes the same ominous closing statement which I earlier pointed out carried the overtones that some adverse consequence would follow if I did not accede to his demands that I not contact them unless I had already exhausted what avenues were available to me. Clearly Mr. McKoy was again attempting to dissuade me from contacting them further. Violating my First Amendment Free Speech, and Right to Petition the Government. Also in his denial to have accurate Biblical doctrine to be taught he violated my First Amendment right to Free Exercise.

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Paragraph (15) Exhibit L-1

on April 21 I also received the return receipt from the packet of evidence I had sent to Mr. Cuomo unsigned. So I wrote him again and April 21st and would re-send the packet of evidence on April 26th. Again Mr. Cuomo is given all the information to this point, and knowing my rights were being violated does nothing to stop the violations, which makes him party to the violations. My First Amendment Free Speech, Right to Petition the Government, Free Exercise, my Fourteenth Amendment right to Equal Protection Under the Law, as well as 45 CFR 5b.2 & 5b.5 and 42 USCA 1997 (d).

Paragraph (17) Exhibit M-1

On April 27th 2021 I was called to OMH again where I would meet with Ms. Citrin. At this interview she would inform me that they wanted me to submit to psychiatric testing. When I asked for what purpose she said she did not know, when I asked her about the process and told her I wanted everything recorded she said she did not know the process and that she did not think recording was allowed to which I said she was wrong. I told her I would not submit to any testing unless I had everything in writing and asked her to provide me with copies of the referrals needed in order to submit someone for testing and the explanations that go along with them to which she replied I would need to make that request in writing. I make that request in writing on May 2nd 2021 to Ms. Walawender and to Ms. Citrin. And again I was not responded to. Their continued harassment for my deeply held convictions of faith now escalates to their request for me to be tested for some unknown disorder to try to cover themselves for their continued violation of my rights. In so doing they only confirmed their intention to hinder my pursuit of justice in these matters and again made themselves party to these violations. Ms. Walawender, Ms. Woodman, Ms. Citrin, Jane Doe(s), and John Doe(s) all being members of the treatment team and Ms. Ashely Cahill who was the Dep. of Mental Health at the time all knew and understood what they were doing and each consented to the violations by doing nothing to stop it. My First Amendment right to Free Speech, Free Exercise, Right to Petition the Government, Fourteenth Amendment right to Equal Protection Under the Law, and 45 CFR 5b.2 & 5b.5, the Privacy Act of 1974 as well as 42 USCA 1997 (d).

Paragraph (18) Exhibit N-1

Also on May 2nd 2021 I would reach out once more to Mr. Andrew Cuomo. In this letter I only informed him I knew him and his office were religiously biased against Christians and that was why he was allowing these injustices to continue and that I was turning all the evidence I had over to the Attorney General Ms. Letitia James. Again he in unresponsive. In so doing he failed to stop the violations he again

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Paragraph (21) Exhibit Q-1

I received a partial records disclosure from OMH which is dated May 4th 2021. In these records several things are made clear. First is the that the reason I was admitted was not due to any evidence of Mental Disorder(Which is stated several times throughout the record but was "Due to number of referrals received". (Woodman 3/19/2021 page 5 (2). Which was based upon my deeply held convictions of faith/(religious beliefs). Ms. Woodman, Ms. Citrin, Ms. Walawender, Jane Doe(s) and John Doe(s) all being part of the treatment team had access to the letters I wrote because Ms. Woodman had copies at our first interview therefore they knew there was nothing threatening about them. Making this a clear violation of my Fourteenth Amendment Right to Equal Protection Under the Law, and this is only further established by Ms. Citrin's own report (3/29/21) which indicates the referrals they received from the Administrative team (Timothy McCarthy, James Doahue, Thomas Napoli, Zebra Cicconi-Crozie, Ashley Cahill, Brian Norris, Thomas Harte, Patrick Kennedy, Michael Pettigrass). Stated my letters were "deeply religious and threatening". This being a means of retaliation against me for promising to report them to Albany if they did not deal with Mr. Dewberry as a security risk. clearly violating 42 USCA 1997 (d) and being they knew my letter had nothing threatening in them when the previously mentioned OMH staff became accomplices to the violation. When the previously mentioned members of the Administrative Team and OMH staff decided to make my deeply held religious beliefs Convictions of faith the central reason for these interviews and their chief concern they violated my Fourteenth Amendment right to Equal Protection Under the Law. When the Previously mentioned Administrative team members maliciously filed these referrals retaliate against me for my outspokenness about their misconduct and my faith to government officials they violated my First Amendment right to Free Speech and my right to Petition the Government. When the previously mentioned OMH staff refused to release these referrals as I requested they violated 45 CFR 5b.2 & 5b.5, the Privacy Act of 1974.

Paragraph (22) Exhibit R-1

On May 12th 2021 I responded to the partial records disclosure from Ms. Walawender asking why they were keeping a file open when there was no mental disorder evident. I go into detail about what is found in the records and the evidence of their misconduct as well as their failure to comply with multiple requests made to her. She does not respond to this nor does she send to remainder of the records. Only furthering her violation of my First Amendment right to Freedom of Speech, Free Exercise, my Right to Petition the Government, my Fourteenth Amendment right to Equal Protection Under the Law, 42 USCA 1997 (d), 45 CFR 5b.2 & 5b.5, the Privacy Act of 1974

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made himself a party to all the violations he was made aware of. The violation of my First Amendment Free Speech, Free Exercise, Right to Petition the Government, Fourteenth Amendment right to Equal Protection Under the Law, also the illegal withholding of my personal records under 45 CFR 5b.2 & 5b.5, the Privacy Act of 1974 as well as the continued retaliatory actions in the ongoing OMH harassment at the facility by repeatedly calling me to their office after they knew I had no mental illness, a clear violation of 42 USCA 1997 (d)

Paragraph (19)

In mid April when I was working at the industry program Larwance Weygant DIN# 00-A-5440 who had assaulted me for my faith the first week of November 2020 was reassigned to the industry program by Mr. Michael Pettigrass the SORC in charge of program assignment in Auburn and William Southwood the Dep. of the industry program itself. When Mr. Weygant was placed in a shop I have no contact with Jane Doe(s) and John Doe(s) had him moved to a shop I had to walk through every day for lunch and had to wait in every day at the end of program hours. Mr. Pettigrass being a SORC along with Mr. Kennedy are part of the day to day operation of the facility and are at the meeting held for that very purpose. The reassignment of Mr. Weygant not only violated prison policy but also placed me deliberately in harms way with malicious intent. clearly violating my Eighth Amendment right to be free from Cruel and Unusual Punishment as well as my right to Equal Protection Under the Law, and being these individuals carried this out as a means of retaliation for my reporting officials at this facility for misconduct it was a clear violation of of 42 USCA 1997 (d).

Paragraph (20) Exhibit P-1

On May 3rd 2021 I filed a grievance (AUB-0367-21) against Departmental Directive #4202 concerning (Religious Programs and Practices) seeking to have the directive re-written as it violates both state and federal laws and uses language that allows the department to show bias toward different faith groups. I requested the hearing be recorded to ensure accurate record keeping and was denied at the onset by Ms. Cheryl Parmiter. At this hearing I stated that the directive violated my rights because it prohibited me from sharing my faith with others (a violation of my First Amendment right to Free Exercise and Fourteenth Amendment right to Equal Protection Under the Law.) and quoted 9 NYCRR 7024.1 and informing them that they were in violation of 42 USCA 2000e. Official Hearing was held May 12th. Requests were denied at hearing, Mr. McCarhty Also denied appeal and I appealed to CORC.

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DEFENDANTS.)

Paragraph (23) Exhibit S-1

On May 21st 2021 I would receive a letter back from the Attorney Generals office which said they had no jurisdiction because my complaint did not "raise an issue involving a pattern and practice of discrimination affecting the rights of many people." I would note that my complaint was sent to Ms. Letitia James, who took an oath of office which with this letter was violated. Her refusal to act made her a party to the violation of my rights which she had taken an oath to defend.

Paragraph (24) Exhibit T-1

In mid May I had also written to the new Deputy Superintendent of Programs Andrew Lowe explaining I desired to teach a Bible study and submitted the papers to that effect and copies of a teaching I written. I explained to him that I had a history here and that perhaps he could give a fresh perspective and show I harbored no ill intent toward the Administrative Team. I would receive a response from the Mr. Lowe saying "You have the right to not agree with the teachings of a religion you follow, but it doesn't give you the right to try and change the process to your wishes. The way a religion is taught in DOCCS is an approved method which follows all the proper ways. If the way the chaplain is being forth the teaching is not the way you like it then you can study that religion on your own. I stress on your own and not to hold unauthorized religious meeting or forums." I have the right not only to try to change the process of the faith group I follow but I have the right to Peaceable Assembly under the First Amendment which Mr. Lowe violated when he said I could study my faith on my own and stressed I was not allowed to meet with others of the same faith. He also hindered my right to Freely Exercise my faith when he denied me to meet with others of my faith which is my right under the First Amendment. And being that fellowship is foundational important to true Christians and an intricate part of our faith he also subjected me to Cruel and Unusual Punishment which is a violation of my Eighth Amendment right to be Free from Cruel and Unusual Punishment.

Paragraph (25) Exhibit U-1

On June 7th 2021 I would receive a letter from Mr. Jeff McKoy dated May 31st 2021. He repeats much of the same thing as he had in his previous letters though in this one he adds that he is responding to my complaints at the behest of Mr. Anthony Annucci. Complaint about Departmental and Mental Health Staff. I did not send anything about either of these issues to Mr. Annucci. And again he closes with his ominous statement about maintaining a favorable disciplinary record. Violating once again my First Amendment Right to Free Speech and to Petition the Government.

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Paragraph (26) Exhibit V-1

On June 11th 2021 I would again be called to OMH by Ms. Woodman and again I would bring a copy of my May 2nd request and receipt for her to sign acknowledging receipt of request and contents of request. She signed it with the comment "you sure are crossing all your T's and doting all you I's" Ms. Woodman was well aware of the violations being carried out against me and could have refused to participate any further yet she continued to be a part to them. This continued and persistent harassment for my faith and for reporting these things to Albany by OMH violated my First Amendment right to Free Speech, Free Exercise, my Right to Petition the Government, my, Fourteenth Amendment right to Equal Protection Under the Law as well as 42 USCA 1997 (d).

Paragraph (27)

I would be called to OMH within a few days where I would give Ms. Carrie Citrin a copy of the signed receipt from Ms. Woodman. She was not pleased when I gave it to her and when I dismissed myself she became even more upset telling me she would not receive anything from me and if I wanted to deny an interview I must do it before coming to the interview room. Ms. Citrin also know what they were doing was violating my rights and was intent to continue to violate them. She centered her concern on my faith and not my mental health thereby violating my Fourteenth Amendment right to Equal Protection Under the Law. Her continued harassment for my faith absent of any other reason for calling me to OMH also violated my right to Free Speech, Free Exercise and to Petition the Government being party to the continued retaliation for my reporting Administrative Team (Timothy McCarthy, James Donahue, Thomas Napoli, Zebra Cicconi-Crzie, Ashley Cahill, Brian Norris, Thomas Harte, Patrick Kennedy, Michael Petigrass) to Albany. In effect making herself an accomplice to the violation of 42 USCA 1997 (d).

Paragraph (28) Exhibit W-1

I received another letter from Mr. Jeff McKoy dated June 21st 2021 where he again reiterates that I should file a grievance if I had issues with the staff at the facility, though I would say I had not sent anything to Albany since the beginning of May. Again he closes the letter with the same statement. At this point Mr. McKoy is clearly grasping what was going on was a violation to my rights, and though he had the power to intervene many months before and even when he had written this letter he does nothing to stop the harassment and discrimination against my person making him a party to the violations. My First Amendment right To Free Speech, to Freely Exercise my religion, my right to Petition the Government, My Fourteenth Amendment

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to Equal Protection Under the Law, 42 USCA 1997 (d), 45 CFR 5b.2 & 5b.5, the Privacy Act of 1974. While Mr. McKoy does point me to the grievance process to rectify the issues I was facing here at the facility it does not excuse him from his duty to stop the violations. And while he had ample time to intervene he did nothing, which is tantamount to him consenting to the violations making him just as culpable as everyone else.

Paragraph (29) Exhibit X-1

Finally I would receive an outright denial from Ms. Kara Walawender concerning my request for records "saying information not created by CNYPC (Central New York Psychiatric Center), including copies of referrals, is not released." An outright lie to hinder legal action against all parties involved. Is so doing Ms. Kara Walawender took a stand against justice, and violated my Eighth Amendment right to Due Process of Law when she deliberately lied in an attempt to stop me from pursuing the matter in court. She made herself a party to every violation in so doing, the Violation of my First Amendment right to Free Speech, my right to Freely Exercise my religion, my right to Petition the Government, My Eighth Amendment right to be Free from Cruel and Unusual Punishment, and to Due Process of Law, and my Fourteenth Amendment right to Equal Protection Under the Law. She also violated made herself party to the violation of 42 USCA 1997 (d) and in the withholding of my personal records from me illegally she violated 45 CFR 5b.2 & 5b.5, the Privacy Act of 1974.

Paragraph (30) Exhibit Y-1

I would file a grievance on June 30th 2021 against (Timothy McCarthy, James Donahue, Thomas Napoli, Thomas Harte, Brian Norris, Patrick Kennedy, Michael Pettigrass, Andrew Lowe and Ronald Dewberry) for discrimination and these civil rights violations. They would send an inmate to confront me on July 1st 2021 with my grievance in his hand at the block where I am housed to try to get me to re-write the grievance. I would write an Amendment to grievance (AUB-0561-21) and submit it when the hearing took place over two weeks later. At this hearing I would obtain a statement from Mr. Ronald Dewberry stating in our meeting we discussed services not being held (a lie), that he had limited material to hand out if I or anyone else needed it (a lie), and that I did not express any other concerns. This directly contradicts Mr. Dewberry statement to Sgt. L. Cordway dated March 11th 2021. I also obtained a copy of the notice Mr. Andrew Lowe sent to grievance on July 8th 2021. In the Amendment to the complaint I would list most all of the violations they had committed. First Amendment Free Speech clause, Free Exercise clause, Establishment clause, Peaceable Assembly clause, Fourteenth Amend. Equal Protection Under the Law. In their sending an inmate to try to persuade me to re-write the

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grievance they violated my Fourteenth Amend. Due Process of Law which was compounded when they failed to process the grievance as a discriminatory complaint to avoid an investigation by the Office of Diversity Management. And while my grievance clearly states it is for discrimination Ms. Cheryl Parmiter deliberately coded the grievance with 16.0 which relates to religious services not a 49.0 like it should have been which deals with accusations of discrimination. This made her a party to every violation in the complaint. Violating my First Amendment right to Free Speech, Free Exercise, to Petitions the Government, ~~Fourteenth Amendment rights to Equal Protection and to~~ Due Process of Law, And my right to be Free from Cruel and Unusual Punishment, as well as the violations of 42 USCA 1997 (d) as well as 45 CFR 5b.2 & 5b.5, the Privacy Act of 1974, my First Amendment right to Peaceable Assembly and the Establishment clause. These deliberate and malicious actions continue to compound throughout every step I took to rectify these issues. Even though I brought these issues up at the grievance hearing they still denied my grievance. When they finally called me for an unofficial hearing where I attempted to add the amendment to the grievance I was informed they had not coded it nor entered it into the log furthering the violation of my right to Due Process of Law under the Fourteenth Amendment.

Paragraph (31) Exhibit Z-1

I would appeal the IGRC decision to the Superintendent who would uphold the finding of the IGRC. Given that Mr. Timothy McCarthy was the first person listed in the grievance for discrimination according to Directive #4040 "Inmate Grievance Program" he should have forwarded to complaint to the Office of Diversity Managment. In these deliberate acts to manipulate the process given to inmates to redress misconduct by official Mr. Timothy McCarthy violated my Fourteenth Amendment right to Due Process of Law as the inmate grievance is given to inmates to combat these very issues. And he further violated my Fourteenth Amendment right to Equal Protection Under the Law because these thing arose from the violation of my First Amendment right to Freely Exercise my religion. And when Mr. McCarthy , Andrew Lowe and Cheryl Palmiter , Jane Doe(s) and John Doe(s) conspired to manipulate the process it made them all party to these violations as well as to 42 USCA 1997 (d). I would appeal the decision to Albany.

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Paragraph (32) Exhibit A-2

I would receive a response to grievance (AUB-0367-21) which I filed against Directive #4202 for being unconstitutional. And while I provided the IGRC with NYCRR 7024.1 which shows them e they are in clear violation of their own Minimum Standards they still refuse to rectify the issue. And because they failed to act when they knew their was a violation taking place they made themselves culpable for the violations. Ms. Shelley Mallozzi, Jane Doe(s), and John Doe(s) had the opportunity to fix the problem and they did nothing to fix it. They made themselves party to the violation of my First Amendment right to Freely Exercise my deeply held religious belief in that the directive prohibits proselytizing under any circumstance which not only contradicts NYCRR 7024.1 but also a vital part of my religious belief as we are commanded to "make disciples of all nations" by our Lord Jesus Christ in Matthew 28: ,.

Paragraph (33) Exhibit B-2

I would file another grievance (AUB-0598-21) on July 20th against IGRC for failure to follow guidelines set forth in Directive #4040 (inmate grievance program). Ms. Cheryl Parmitter again coded the grievance improperly 44.0 which relates to grievances against procedures. My grievance was because the process was not follow. I outline the many violations of the process by Ms. Pamitter, Mr. Lowe, and Mr. McCarthy. I attempted to address these issues at the previous grievance hearing and was told I did not know what I was talking about and when I pointed out Directive #4040 - section - 701.9 paragraph b to them I was ignored. In these deliberate acts of misconduct to hinder an investigation into the violation of my rights Ms. Parmitter made herself a part to all the violations. My First Amendment rights to Free Speech, Free Exercise of my religion, to Petition the Government, my Eighth Amendment right to be Free from Cruel and Unusual Punishment, my Fourteenth Amendment rights to Equal Protection Under the Law and to Due Process of Law. I made sure that I included the point that I brought these issues to light in the first hearing and was shut down. 45 CFR 5b.2 & 5b.5, the Privacy Act of 1974 and 42 USCA 1997 (d).

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Paragraph (34) Exhibit C-2

On July 23rd 2021 I was called to the hearing for grievance (AUB-0598-21). At this hearing there was a different hearing officer. After he read the complaint he asked me to explain, so from the beginning I explained all that had transpired. After listening intently he said I was right and the previous grievance (AUB-0561-21) should have been coded a 49.0 and forwarded to the Office of Diversity Management, and granted the grievance to that effect, And it was forwarded to Mr. McCarthy for application.

Paragraph (35) Exhibit D-2

On July 30th I would receive a denial from Mr. Timothy McCarthy the Superintendent who refused to re-code the previous grievance and forward it to the Office of Diversity Management. In so doing Mr. McCarthy further violated my Fourteenth Amendment rights to Equal Protection Under the Law and Due Process of Law in that he deprived me of the liberty to redress unlawful acts of discrimination against my person through the processes afforded to the inmate population. His calculated and continued efforts to hinder me from showing the misconduct of officials at this facility deprived me of my right to Petition the Government, Free Speech, to Exercise my Religion, to be able to Peaceably Assemble with others of my faith all of which are protected under the First Amendment, My fourteenth Amendment rights to Equal Protection Under the Law and my right to Due Process of Law, and the violation of 45 CFR 5b.2 & 5b.5, the Privacy Act of 1974. And his action can easily be interpreted as a violation of 42 USCA 1997 (d). I appealed the decision to CORC.

Paragraph (36) Exhibit E-2

On August 4th 2021 I received acknowledgment of receipt of grievance (AUB-0561-21) and Ms. Shelley Mallozzi entitled the grievance "Discrimination/unable to Practice Religion", confirming she understood my grievance to be for discrimination against me.

Paragraph (37) Exhibit F-2

On August 19th 2021 I would receive the acknowledgment of receipt of grievance (AUB-0598-21) from Ms. Shelley Mallozzi entitled "Grievance Procedures Not Followed" clearing showing she understood my grievance was for the failure of IGRC Supervisor Ms. Cheryl Parmitter to follow guidelines set forth in Directive #4040.

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Paragraph (38) Exhibit G-2

On September 7th 2021 I wrote Ms. Shelley Mallozzi about grievance's (AUB-0561-21) and (AUB-0598-21), asking her why she did not act on the allegations set forth in them and send the grievance's to the Office of Diversity Management. I informed her that failure to act in a just and impartial would force me to take the next step in my pursuit to rectify these issues. When she gave her notice of receipt of the grievances she labeled (AUB-0561-21) as discrimination/unable to practice religion therefore she was obligated to forward them to the office of diversity management when she realized they hadn't been. Her failure to do so made her a party to the violations themselves. She knew my First Amendment rights to Free Speech, Free Exercise, to Petition the Government, Peaceable Assembly, Fourteenth Amendment right to Equal Protection under the Law, Due Process of Law and my Eighth Amendment right to be Free from Cruel and Unusual Punishment were being violated and that the very process given to me to redress the issues was manipulated and compromised yet she did nothing to intervene and correct the problems when she had the power to do so.

Paragraph (39) Exhibit H-2

On September 28th 2021, I made a FIOL request for an assault on my person by Lawrence Weygant DIN# 00-A-5440. This man assaulted me for my deeply held religious beliefs. I received a response from SOCR Patrick Kennedy acknowledging his receipt of my request and giving me an anticipation of response within twenty days.

Paragraph (40) Exhibit I-2

I wrote to Ms. Danielle Dill the Director of the Central New York Psychiatric Center about the misconduct in the Office of Mental Health here at Auburn Correctional Facility. I sent her copies of the records that verify my allegations and copies of the Mental Hygiene Law 33.13 & 33.16 which their office uses to block access to records quoting the records themselves where Ms. Carrie Citrin states their chief concern is my "religiosity" and requested my entire record from her office. I also disclosed to her that Unit Chief Ms. Kara Walawender states there is no record made of the things I requested. And finally I disclosed to her they were in violation of the Privacy Act of 1974 and told her that all parties involved would be held responsible for the violation of my rights.

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Paragraph (41) Exhibit J-2

I wrote to Ms. Julie Dennis at the Office of Diversity Management and sent her copies of the grievances themselves asking her if she had any contact from anyone regarding these issues. I received no response from Ms. Dennis whose office is supposed to investigate these very issues. Ms. Dennis, Jane Doe(s) and John Doe(s) neglected the duties of their office and allowed the continuance of these violations when they had the power to intervene and stop them therefore they became a part to the violations themselves. They knew my First Amendment Free Speech, Free Exercise, Peaceable Assembly, to Petition the Government, Fourteenth Amendment Equal Protection Under the Law, and Due Process of Law as well as my Eighth Amendment Right to be Free from Cruel and Unusual Punishment, **42 USCA 1997(d) were being violated and sat idle.**

Paragraph (42) Exhibit K-2

On October 3rd I made another FOIL request to Mr. Patrick Kennedy for the names and titles of those sitting on the Office of Mental Health review committee and the Treatment team as well as all the names of the Administrative Team who are involved in the weekly meeting pertaining to the operation of the facility. And all those listed on my negative correspondence list, when they were added and who had added them. No Response was ever given to this request nor was there any further response to the prior request.

Paragraph (43) Exhibit L-2

I received a response from Central New York Psychiatric Center dated October 12 2021 in effect saying they did an investigation and found no wrong doing on the behalf of staff here at the facility and denied my request for my record saying I would need to make a request in writing to the Unit Chief here at the facility. In light of the fact that Ms. Danielle Dill was sent this letter giving verifiable facts of the violation of my rights, the laws that govern their office pertaining to the denial which had not been followed and the denial of a written request for my personal records it makes Ms. Dill, Jane Doe(s) and John Doe(s) a party to all violation of the Office of Mental Health here at Auburn because they had the power to intervene and did nothing. My First Amendment right to Free Speech, Free Exercise, Right to Petition the Government, Fourteenth Amendment right to Equal Protection Under the Law as well as Due Process of Law, 45 CFR 5b.2 & 5b.5, the Privacy Act of 1974 and 42 USCA 1997 (d).

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Paragraph (44) Exhibit M-2

On November 18th I received a response from CORC Ms. Shelley Mallozzi denying grievance (AUB-0561-21) with a hearing date of August 26th 2021 in which she accuses me of including the Administrative team in my grievance as a way to impede the investigative process. CORC (Ms. Shelley Mallozzi, Jane Doe(s) and John Doe(s) clearly disregarded my complaint and addressed none of the issues raised in the complaint but rather made accusations that I was not only not using a good faith effort to rectify my issues through the process but also that I accused the Administrative team as a way to impede the investigative process. Their refusal to address the issues when they had the power to do so made them party to all the violations of my rights. My First Amendment rights to Free Speech, Free Exercise, Peaceable Assembly, to Petition the Government, my Fourteenth Amendment rights to Equal Protection Under the Law, and Due Process of Law, as well as my Eighth Amendment right to be Free from Cruel and Unusual Punishment, 45 CFR 5b.2 & 5b.5, the Privacy Act of 1974 and 42 USCA 1997(d).

Paragraph (45) Exhibit N-2

I received a response to grievance (AUB-0598-21) where Ms. Shelley Mallozzi, Jane Doe(s) and John Doe(s) deny the grievance saying their was insufficient evidence to support violation of directive #4040 and that they found no malfeasance by staff. This response only further shows that the system for addressing misconduct by officials in the Department of Correction and their agents is completely corrupt and easily manipulated without any action by those who are supposed to deal with such issues. In this final response to grievances filed by myself (John Anthony Pierce 16-B-1596) I have exhausted every avenue given to incarcerated individuals to redress issues fulfilling my obligations under the Prison Litigation Reform Act.

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PLAINTIFF

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In this complaint to the court I am making several demands for relief. First are the injunctive reliefs. (1) I would like the court to order DOCCS the (Department of Corrections and Community Supervision) to teach traditional Biblical doctrine which I outlined in my request to Albany and Mr. Dewberry confirmed are consistent with mainstream Protestant teachings. (2) I want a the court to order that DOCCS set up a processes to vet perspective chaplains to ensure they teach Gods word accurately and that their life-styles mirror the character outlined in Gods for such men. (3) I would like the court to order that DOCCS afford those of the Christian faith the same level freedom to exercise their faith as the other faith groups recognized by them. Other faith groups are afforded special diets, special grooming, special meetings, even to the extent of entire months of feasting and special meal times which are all part of their belief systems, while Christians are without accurate teaching, and are denied most all of the essential aspects of our faith that promote growth and maturity. (4) I would like the court to order DOCCS to rewrite Directive #4202 and remove religiously bias language which allows faith groups who pose a risk to security and safety of facilities if their demands are not met to receive treatment and benefits staggeringly unequal to Christians. (5) I would like the court to order DOCCS to stop forcing chaplains of the Christian faith to oversee and affirm other faith groups as a stipulation for employment, which draws men who are not devote believers and excludes true Born Again Christians from employment because they would not compromise their faith in such an grievous manner. As for the Compensatory and Punitive damages are concerned I would like the court to order the defendants pay Ten (10) million in Compensatory damages and also Ten (10) million in Punitive damages. Given the gravity of these offences, the continued and deliberate attempts to hinder the process and to conceal the identities of those involved as well as the failure of any one person who having heard these violations were taking place and could have stopped them with a call sat idle and consented not to mention the countless men and woman whose sins could have been forgiven and their hearts and lives transformed I believe these demands are more than warranted.

Dated:

Subscribed and sworn to
before me this, _____ day
of _____, 2022

John Anthony Pierce
16-B-1596
Auburn Corr. Facility
P. O. Box 618
Auburn, New York

13024

Notary Public

JOHN ANTHONY PIERCE
PLAINTIFF

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DEFENDANTS.

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Dated:

Subscribed and sworn to
before me this, 16th day
of February, 2022

Deborah East

Notary Public

John Anthony Pierce
John Anthony Pierce
16-B-1596
Auburn Corr. Facility
P. O. Box 618
Auburn, New York

13024

SCOTT GIVIN
NOTARY PUBLIC, STATE OF NY
016127101
QUALIFIED IN CAYUGA COUNTY
COMMISSION EXPIRES 5/16/2025

Claim Sheet

First Amendment Free Speech

Timothy McCarthy, James Donahue, Thomas Napoli, Andrew Lowe, Thomas Harte, Zebra Cicconi-Crozie, Brian Norris, Michael Pettigrass, Patrick Kennedy, Cheryl Parmiter, Ashley Cahill, Erin White, Kara Walawender, Carrie Citrin, Mellissa Woodman, Anthony Annucci, Jeff McKoy, Andrew Cuomo, Danielle Dill, Julie Dennis, Ronald Dewberry, William Southwood, Jane Doe(s), John Doe(s)

First Amendment Freedom to Exercise Religion

Timothy McCarthy, James Donahue, Thomas Napoli, Andrew Lowe, Thomas Harte, Zebra Cicconi-Crozie, Brian Norris, Michael Pettigrass, Patrick Kennedy, Cheryl Parmiter, Ashley Cahill, Erin White, Kara Walawender, Carrie Citrin, Mellissa Woodman, Anthony Annucci, Jeff McKoy, Andrew Cuomo, Danielle Dill, Julie Dennis, Ronald Dewberry, William Southwood, Jane Doe(s), John Doe(s)

First Amendment Right to Petition the Government

Timothy McCarthy, James Donahue, Thomas Napoli, Andrew Lowe, Thomas Harte, Zebra Cicconi-Crozie, Brian Norris, Michael Pettigrass, Patrick Kennedy, Cheryl Parmiter, Ashley Cahill, Erin White, Kara Walawender, Carrie Citrin, Mellissa Woodman, Anthony Annucci, Jeff McKoy, Andrew Cuomo, Danielle Dill, Julie Dennis, Ronald Dewberry, William Southwood, Jane Doe(s), John Doe(s)

First Amendment Right to Peaceable Assembly

Timothy McCarthy, James Donahue, Thomas Napoli, Andrew Lowe, Thomas Harte, Zebra Cicconi-Crozie, Brian Norris, Michael Pettigrass, Patrick Kennedy, Cheryl Parmiter, Ashley Cahill, Erin White, Kara Walawender, Carrie Citrin, Mellissa Woodman, Anthony Annucci, Jeff McKoy, Andrew Cuomo, Danielle Dill, Julie Dennis, Ronald Dewberry, William Southwood, Jane Doe(s), John Doe(s)

Eighth Amendment Freedom from Cruel and Unusual Punishment

Timothy McCarthy, James Donahue, Thomas Napoli, Andrew Lowe, Thomas Harte, Zebra Cicconi-Crozie, Brian Norris, Michael Pettigrass, Patrick Kennedy, Cheryl Parmiter, Ashley Cahill, Erin White, Kara Walawender, Carrie Citrin, Mellissa Woodman, Anthony Annucci, Jeff McKoy, Andrew Cuomo, Danielle Dill, Julie Dennis, Ronald Dewberry, William Southwood, Jane Doe(s), John Doe(s)

Claim Sheet

Fourteenth Amendment Due Process of Law

Timothy McCarthy, James Donahue, Thomas Napoli, Andrew Lowe, Thomas Harte, Zebra Cicconi-Crozie, Brian Norris, Michael Pettigrass, Patrick Kennedy, Cheryl Parmiter, Ashley Cahill, Erin White, Kara Walawender, Carrie Citrin, Mellissa Woodman, Anthony Annucci, Jeff McKoy, Andrew Cuomo, Danielle Dill, Julie Dennis, Ronald Dewberry, William Southwood, Jane Doe(s), John Doe(s)

Fourteenth Amendment Equal Protection Under the Law

Timothy McCarthy, James Donahue, Thomas Napoli, Andrew Lowe, Thomas Harte, Zebra Cicconi-Crozie, Brian Norris, Michael Pettigrass, Patrick Kennedy, Cheryl Parmiter, Ashley Cahill, Erin White, Kara Walawender, Carrie Citrin, Mellissa Woodman, Anthony Annucci, Jeff McKoy, Andrew Cuomo, Danielle Dill, Julie Dennis, Ronald Dewberry, William Southwood, Jane Doe(s), John Doe(s)

45 C.F.R. 5b.5

Timothy McCarthy, James Donahue, Thomas Napoli, Andrew Lowe, Thomas Harte, Zebra Cicconi-Crozie, Brian Norris, Michael Pettigrass, Patrick Kennedy, Cheryl Parmiter, Ashley Cahill, Erin White, Kara Walawender, Carrie Citrin, Mellissa Woodman, Anthony Annucci, Jeff McKoy, Andrew Cuomo, Danielle Dill, Julie Dennis, Ronald Dewberry, William Southwood, Jane Doe(s), John Doe(s)

45 C.F.R. 5b.2

Timothy McCarthy, James Donahue, Thomas Napoli, Andrew Lowe, Thomas Harte, Zebra Cicconi-Crozie, Brian Norris, Michael Pettigrass, Patrick Kennedy, Cheryl Parmiter, Ashley Cahill, Erin White, Kara Walawender, Carrie Citrin, Mellissa Woodman, Anthony Annucci, Jeff McKoy, Andrew Cuomo, Danielle Dill, Julie Dennis, Ronald Dewberry, William Southwood, Jane Doe(s), John Doe(s)

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